

STATE EMERGENCY RESPONSE COMMISSION

State Emergency Response Commission Meeting Minutes June 9, 2004

Secretary David B. Mitchell – DSHS
John Blevins – DNREC
Jamie Turner – DEMA
Dr. Gerald Llewellyn – Div. of Public Health
Ralph Baker – Shipper of HazMat
Tricia Faust – DelDOT
James Lee – Consignee of HazMat
Peirce – Water Transportation Rep.
Bill Betts – Fire Prevention Commission
James L. Cabbage, Jr. – DE Vol. Fire. Assoc.
Michael G. Chiomchio – State Fire Marshal
Lynn Bullock – Sussex County LEPC
George Giles – City of Wilmington LEPC
J. Allen Metheny, Sr. – Kent County LEPC
Jim Kenney – New Castle County LEPC
Mark Collender – Delaware State Police
Pam Meitner – User of Hazardous Material
Jack Taylor – Highway Transportation Rep.
Michael Kernan – Delaware State Fire School

Glenn Gillespie – DEMA
Robert Pritchett – DNREC/EPCRA
Dave Irwin – NCC LEPC
Bob Barrish – DNREC
Edward Gerhard – US EPA
Rich Antoff – DNREC
William Matthews – Sussex County EMS John
Tedd Winneberger – Sussex County EMS
Dave Carpenter - NCC Office Emergency Plan.
Dave Hake - DEMA
Arthur Paul – DEMA
Renee Dixon – DEMA

The June 9, 2004 meeting of the State Emergency Response Commission (SERC) was called to order at 9:05 a.m. by Secretary David Mitchell, Chair. Attendees introduced themselves and were welcomed to meeting. The March 10, 2004 meeting minutes were approved as written following a motion made by Mr. John Peirce and seconded by Mr. Lynn Bullock.

STANDING COMMITTEE REPORTS

Finance and Budget Committee – Mr. Robert Pritchett

Summary of SERC Finances as of 6/3/04:

Carryover from 2003 calendar year	+ \$ 225,296
Fees collected thus far during 2004	+ \$ 285,780 (a)
Projected reimbursements thus far	- \$ 440 (b)
Interest received thus far during 2004 (first two months)	+ \$ 554 (c)

Account balance as of 6/3/2004	\$ 511, 190

Notes:

- a) Additional fees may be received as we continue follow-up activities on the 2003 Hazardous Chemical Inventory (Tier II) reports due 3/1/04.
- b) Additional reimbursements necessary to facilities will likely be identified as we process the 2003 Tier II reports. (Final reimbursements for reporting errors in 2003 totaled \$4,980.)
- c) Interest will continue to accumulate. (Total interest accumulated in 2003 was \$5,453.)

Decon Trailer Replacement Account:

Initial deposit approved in June 2003	+ \$ 28,000
Interest received during 2003 (Sept. thru Dec.)	+ \$ 172
Interest received thus far during 2004	69

Balance as of 6/3/2004	\$ 28,241

HMEP Grant Review – Mr. Dave Hake

Mr. Hake referred attendees to the HMEP Budget Status memo in the SERC agenda package. There were no planning proposals at this time.

Approved and Pending Items:

<u>Planning</u>	
Balance as of 06/02//04	39,309.66
Pending Items:	
Kent County LEPC Tabletop Exercise County Chemicals facilities /DAFB	3,256.00
New Castle LEPC Dinner Industrial Hazmat Team	650.00
SERC Meeting	100.00
Wilmington LEPC International HazMat Conf. Jun 3-6, 04	200.00
Sussex Decon team Haz Mat Expo Conf. Nov.16-18, 04, Las Vegas, NV	1,800.00
Sussex Decon team two mbrs Hot Zone 2004 HazMat Conf. Houston, TX - Oct 04	2,000.00
NCC LEPC Chief to Int'l Haz Mat Response Conf. HuntValley, MD Jun 04	875.00
Sussex Decon team, two mbrs Int'l Haz Mat Response Conf. HuntValley, MD Jun 04	1,600.00
Total Pending Items	7,225.00
<i>Projected Planning Balance</i>	32,084.66

Mr. Hake then reviewed the following proposal for Training Funds:

1. The New Castle County Local Emergency Planning Committee (LEPC) requests funds for ancillary services to support DuPont CAER rail car training for several fire companies and the NCC Industrial HazMat Alliance on June 28-30 and July 1 & 2, 2004. Approximate Cost: \$1,800.00.

Approved and Pending Items:

<u>Training</u>	
Balance as of 06/02/04	31,703.70
Pending Items:	
Sussex EMS HazMat Tm Ref. 8 Decon Mbrs @600 each (1 remaining)	600.00
Kent County Decon Tm HazMat Trn DE Fire School 5 Ref.	3,000.00
Sussex Decon Tm HazMat Tech Fire School,6 Ref. @\$600/ 4 Init. @\$900.	7,200.00
DNREC ERB Tm, HazMat Tech Fire School 15 Ref. @600 / 5 Init. @\$900.	13,500.00
DNREC ERT 16 Ref. @ \$600- 3 Init. @900.	3,900.00
Support CAER trn June/July 2004 tent, food etc.	1,800.00
Total Pending Items	30,000.00
<i>Projected Training Balance</i>	<i>1,703.70</i>

Request Planning and Training Project Proposals for FY2004.

HMEP Key Dates:

Obligation Date: September 30, 2004
Liquidation Date: December 31, 2004

The HMEP Planning and Training Grants are funded by the U.S. DOT. Mr. David Hake is the grant administrator and verifies that requests meet the eligibility requirements. *This budget status update is provided to the SERC for information purposes only.*

Information and Technology (IT) Committee – Mr. Lynn Bullock & Mr. Robert Pritchett

The IT Committee has been working diligently on modifications to the Tier II Manager program and has decided to meet in July and August. The Committee met with the Intelligent Decisions Systems, Inc. (IDSI) and made detailed changes to the program to accommodate Delaware's requirements. The modifications increased the cost of initial implementation from \$52,000 to \$85,000. The committee is requesting HMEP Grant monies to cover the \$17,000 shortfall. Approval was granted from the Department of Technology and Information (DTI) for the purchase of the Tier II Manager program. A motion was made by Mr. Jamie Turner that the SERC authorize up to \$25,000 of HMEP funds to assist the IT committee in implementing the program with the caveat that expenditures be approved by the SERC Finance and Budget Committee. Mr. George Giles seconded this motion and the motion passed. Ms. Pam Meitner added a motion that if for any reason the necessary funds are not available from the HMEP Grant, that DNREC fee monies be made available. Mr. Lynn Bullock seconded this motion and the motion passed as a backup plan.

Planning and Training Committee – Mr. Jamie Turner

The committee will meet next month. No report.

Decon Trailer Committee – Mr. J. Allen Metheny, Sr.

The Decon Trailer User's Group met on June 2, 2004 at the Kent County Public Safety Building.

All three Decon teams continue to work on the purchase of equipment with the funds approved by SERC to complete the Standard Equipment List purchases. New Castle has completed their purchases; Sussex will have expended all of their funds by June 30th; and Kent has approximately \$3,000 left.

We are continuing on the work of drafting a Statewide Decon Trailer User's Group "Standard Operating Guidelines" (SOG). Progress is slow on this project due to the many other projects we are involved with.

The tow vehicles for the trailers have finally been ordered. The State Division of Purchasing advertised for bids and received two bids back. After careful review of the bids, the award was made to Hackney Emergency Vehicles. The Committee was just informed that a pre-construction meeting is needed to finalize the details for each of the vehicles. The Committee Chair anticipates it will be scheduled within the week and does not expect to see the trucks until late fall.

Since the last meeting, the teams have:

- Responded to seven emergency incidents
- Conducted five training classes or drills
- Completed four public appearances/community outreach events

The team developed a tentative list of equipment and service requests for FY '04 WMD funds. The request includes upgrades to our air systems, a "new generation" chemical and biological detector, a team member ID system, funds for maintenance contracts and calibration costs of WMD equipment, and overtime for back filling positions to cover training. With the exception of the overtime request, all requests have been approved at the State level and are awaiting Homeland Security approval. The overtime request has not been considered yet.

WMD equipment is beginning to arrive and it is being stored until the trucks and other trailers arrive.

Relative to the maintenance fund, we have used approximately \$4,200 to date. I am awaiting two bills yet for repairs.

We presented a budget to the Budget Committee to replenish the maintenance fund and set-aside 10 percent of the collections for trailer replacement.

At our meeting, we discussed and are looking further into a driver's training program for our personnel to be able to drive the vehicles. We will report our progress at the next meeting.

Our next meeting is scheduled for September 1, 2004.

LOCAL EMERGENCY PLANNING COMMITTEE REPORTS

New Castle County – Mr. Jim Kenney

- Meeting Notes – The LEPC meeting was held at Elsmere Fire Company on May 10, 2004. The NCCLEPC received a \$25,000 Supplemental Environment Program (SEP) grant from General Chemical. These funds have been used to purchase equipment for the New Castle County Industrial HazMat Response Alliance (NCCIHMRRA). The equipment is now being received and is being stored in the DNREC HazMat trailer located at the Belvedere Fire Company. The trailer will be taken to the scene by the Fire Company. DNREC is accounting for the equipment. Equipment includes four flash protected Level A chemical suits which meet the requirements of NFPA 1991, numerous hand tools, sked stretcher, non sparking tools, two in transfer pump, various fittings for tank trailers, drum repair kit, Nomex coveralls, two in transfer hoses and a computer projector.

Planning is under way for the training session utilizing the DuPont CAER car at the Edgemoor facility. Though intended primarily for the NCCIHMRRA several other groups will be participating including: DECON team, Wilmington Fire and several county fire companies.

Al Stein gave a presentation about the role of the DOT and Earl Rentz of Conectiv reviewed safety procedures when dealing with electric and gas service. He discussed the important role played by “Miss Utility.”

It was noted that the program to handle the wastewater from the destruction of the VX agent at the storage facility in Indiana has been put on hold. The Chambers Works Response Team will review the project with the LEPC, if it becomes active.

- Facility Visits – Five initial on-site visits and two follow-ups have been completed since last report.
- HazMat Plan Status – The plan will be distributed by the end of July 2004.
- Exercise Status - Not reported.
- HazMat Incidents – There have been no major incidents, which required the services of the NCCIHMRRA.

City of Wilmington – Mr. George Giles

- Meeting Notes – The last meeting of the Wilmington Local Emergency Planning Committee was held on May 14, 2004 at the Public Safety Building in the multi-purpose room, 300 N. Walnut Street, Wilmington, Delaware. The following is a summary of the minutes from the May meeting:

A motion was made to accept the budget as submitted with a 3% increase in the amount of \$54,487.15.

A motion was made to approve the renewal of the Memorandum of Agreement with Margie Williams for July 1, 2004 to June 30th, 2005 with the 3% applied to her salary also.

The DART Drill was completed and critiqued with positive results. Action items included, Incident Management System Training for all the agencies and communication without radios at the scene of a bomb incident.

The Anti-Terrorism Committee continues its work, next meeting will be June 25, 2004.

A pilot program for the Citizens Corp CERT was conducted and will conclude with a final exercise in July. We have asked to conduct another course for MBNA, date to be discussed.

The LEPC will be sending four members to Hunt Valley for the Hazardous Material Response Team Conference.

- Facility Visits – The Wilmington LEPC and DeLEASI have been conducting facility visits and are half completed. A dinner will be held upon completion of the site visits with LEPC members, a representative of the business, the Fire Department and DeLEASI Members.
- HazMat Plan Status – The plan has been approved and printing is in progress.
- Exercise Status - We are preparing for the final exercise of the CERT program. We will also be conducting a second class in the near future with MBNA. We participated along with Conectiv in the signing of a declaration by the Governor and the Mayor to start National Hurricane Awareness Week. Preparedness information was handed out along with a presentation on hurricanes at the library.

CAER CAR training with the Wilmington Fire Department and Industrial Hazmat Material Teams will be held from June to July. We continue to train with the Hazmat Metering Devices.

- HazMat Incidents – There has been one event since the last report.

Kent County – Mr. J. Allen Metheny, Sr.

- Meeting Notes – Regular meeting held on May 11, 2004 with twenty members present. Provided updates to the members on the following topics: Decon III Operations, Tier II reporting and fee collections, Budget Issues, Delaware Emergency Notification System and the Tier II Manager System.

The long-term planning committee chairperson wrote two articles for our local Chamber of Commerce newsletter, one addressing the LEPC and its role in the community and another on risk management plans for smaller businesses. One article has been published to date.

We have re-activated the seminar committee to possibly plan for another seminar next spring, similar to the ammonia seminar held last spring. The committee has met and is looking at options for a seminar next spring.

The next LEPC meeting will be on July 13, 2004 at 10 a.m.

- Facility Visits – DeIEASI has completed the Extremely Hazardous Substance (EHS) facility inspections in central Kent County. A wrap-up dinner was held for the final group of facilities and fire companies. I met with DeIEASI on Monday to begin plans for starting a new cycle of visits in a couple of years. We thanked DeIEASI for their support with this project.
- HazMat Plan Status – Approved by SERC. Copies and CD's are being made and a training session is being planned for later this month.
- Exercise Status – The planning continues for the Dow-Reichhold drill in the fall.
- HazMat Incidents – None.

Sussex County – Mr. Lynn Bullock

- Meeting Notes – Submitted budget.
- Facility Visits – There have been 4 facility visits since last meeting.
- HazMat Plan Status – Currently reviewing plan.
- Exercise Status - Not reported.
- HazMat Incidents – There have not been any major incidents.
- Comments – Attended the Seaford Mutual Assistance Group meeting. This group will respond anywhere in the county, if requested, and if their equipment is replaced.

OLD BUSINESS

1. SERC Membership Vacancies - Mr. Arthur Paul

Mr. Jack Taylor's membership has been approved by the Governor. Mr. Taylor will be representing Highway Transportation. All Commission vacancies are filled.

2. Delaware Emergency Notification System (DENS) Update – Mr. Arthur Paul

The system is being populated regularly with phone numbers from Verizon. The next step is setting up training. Ideas for public outreach were discussed, to include: using the Chamber of Commerce, Public Service Commission, Associations, grocery bags, and utility bills.

3. Funding Committee Recommendation (DNREC letter for fine money) – Mr. John Blevins

The funding committee and DNREC will meet in July to discuss this issue.

NEW BUSINESS

1. Selection of Finance and Budget Committee Chairperson – A chairperson was not selected at the March meeting and there have been no volunteers to chair the Committee. The chairperson of this committee must be a SERC member. Therefore, prior to retiring, Secretary Ford recommended that the position remain at the Fire School. He also recommended that Ms. Pam Meitner be appointed to the Committee. Michel Kernan expressed that he is not comfortable being the chairperson right now, due to his responsibilities as the new Director of the Fire School. After discussion, the Commission agreed that this item would be revisited in December 2004.
2. SERC Annual Report Submissions – The annual report is available online. Mr. Arthur Paul requests that the LEPCs and SERC members review the report and send him inputs and updates for the FY 04 report, no later than the end of July, in order for a draft to be completed for SERC review prior to the September meeting.
3. Approval of Committee Budgets – The following are SERC Finance and Budget Committee recommendations for the Fiscal Year 2005 budget. The Committee reviewed each budget by comparing it to the previous year's budget and used the Committee Guidelines for Budget Requests. Following the initial review of the budgets, the Committee asked the LEPC submitters questions to clarify certain budget line items and used their responses to make the final recommendations.
 - a. The City of Wilmington Local Emergency Planning Committee (LEPC) requested \$54,487.15, minimal growth. Compared to FY 2004, there were significant increases in four line items. Following inquiries and discussions, the Committee decided to fund the increased line items at last year's levels, based on the availability of Hazardous Material Emergency Preparedness (HMEP) grant funds. There was no carryover from last year. The Finance and Budget Committee recommended approving \$49,111.72. Mr. Metheny motioned to approve and Mr. Baker seconded. The motion to approve \$49,111.72 passed.
 - b. The New Castle County LEPC requested \$113,607.00, minimal growth. Following inquiries and discussion, the Committee recommended approving the requested \$113,607.00. There was no carryover. Mr. Bullock motioned to approve and Mr. Blevins seconded. The motion to approve \$113,607.00 passed.
 - c. The Kent County LEPC requested \$43,800.00, no growth. The Committee decided to reduce one budget worksheet line item, based on the availability of HMEP grant funds. Kent County maintains a \$39,000.00 carryover that remains pending a determination on Decon vehicle funding. Since the vehicles are being funded by Weapons of Mass Destruction (WMD) funds, the Committee recommended subtracting the \$39,000 from the FY 2005 budget. Less the \$39,000, the Committee recommended approving \$42,800.00 for the Kent budget. Mr. Cubbage motioned to approve and Mr. Peirce seconded. Mr. Cubbage and Mr. Metheny objected to the money being subtracted from the approved budget because the money was found by an audit before the June 2000 SERC meeting motion to subtract carryover money from the approved budget. After lengthy discussion, a roll call vote was taken. The results of the vote were 6-yes; 6-no; and 4 abstain, three SERC members had to depart before the vote. After a discussion, Mr. Metheny made a proposal that the \$39,000 be diverted to the Decon Committee and be used to supplement WMD funds to complete the purchase of the tow vehicles. Secretary Mitchell voted no with his tie-breaking vote, Mr. Metheny made a motion to approve his proposal and Ms. Meitner seconded. The motion was approved.

- d. The Sussex County LEPC requested \$53,724.96, no growth. Following inquiries and discussions, the Committee recommended approving the requested amount. There is a carryover of \$3,500.00 from the FY 2004 budget. The Committee recommended approving \$50,224.96. Mr. Turner made the motion to approve and Mr. McCracken seconded. The motion to approve \$50,224.96 was passed.

The following items were covered in one motion.

- e. The Decon Trailer Committee requested replenishing the Maintenance and Equipment Account to \$15,000 (approximately \$4,000.00 required) and setting aside 10% of collected fees (\$28,000) in the Decon Trailer Replacement Account, as approved at the February 2003 SERC meeting. The Committee recommended approval of both requests.
- f. The Committee recommended that SERC funded entities provide a detailed list of work plan accomplishments with their fiscal year budget requests. A question was asked about what period the list of accomplishments would cover. After discussion, it was decided that the period would be up to the date of budget submission, to include anticipated accomplishments for the remainder of the current budget year.
- g. The Committee recommended that SERC funded entities be audited annually and that a copy of the audit be provided to the SERC Finance and Budget Committee with the LEPC fiscal budget requests. During discussion, a comment was made that it would be an oversight if we did not consider whether or not the audits included the LEPCs. Mr. Paul will review copies of the audits and make sure they include the LEPCs. Mr. Paul will report the findings to the SERC.

Mr. Turner made the motion to approve the above three motions. Mr. Cabbage seconded. All motions passed.

CLOSING COMMENTS

Mr. Pritchett distributed copies of the DE Toxics Release Inventory 2002 Data Summary report to the Commission and attendees.

Mr. Cabbage made a motion that the SERC support Senate Bill 315. The Senate Bill would allow non-State employees to participate in user groups. User groups give technical advice to the Division of Support Services concerning materials and non-professional service contracts. Mr. Turner seconded. The motion passed.

The SERC meeting adjourned at approximately 11:08 a.m. The next meeting will be on Wednesday, September 8, 2004.